PROCEDURES FOR PROJECT ISSUE RESOLUTION CONFERENCES
Task 111
Last Updated: April 4, 2013

PURPOSE

To provide land use permit/entitlement applicants and County staff assigned to the project an opportunity to quickly and inexpensively have issues heard and considered by senior County management. Issues considered under this procedure can include disagreements with staff interpretations of codes or ordinances, requests for additional information or studies, complaints regarding customer service being provided by the County, or disagreements regarding project related processing requirements. With the exception of customer service complaints, it is required that the project applicant tries to resolve these issues with project staff before a Project Issue Resolution Conference is considered.

The Project Issue Resolution meeting can be requested by either an applicant or by County staff.

- This process will not reconsider final decisions (including appeals of those decisions) or formal recommendations made by the Director or any other formal County of San Diego decision-making body.
- Furthermore, this process does not replace any other appeal mechanisms such as those for CEQA determinations or administrative appeals but may be used to augment these processes.
- This process is not available for project opponents as the existing process allows for public input as part of the decision/hearing process.
- Lastly, decisions resulting from this process are not binding on any County decision-making body including the Directors of PDS/DPW.

STAFFING

- The **Project Issue Resolution Panel** shall be comprised of two PDS Senior Managers, typically either the PDS Assistant Director or Project Planning Chief and a Land Development Chief.
- A **Project Issue Resolution Secretary** will prepare and coordinate the schedule, and prepare and distribute minutes.
- **Project Staff** involved in the issue shall also attend the Project Issue Resolution conference. Panel members, in consultation with the Project Manager will determine staff attendance needs on a case-by-case basis.
- **County Counsel** - If the applicant is bringing an attorney and legal issues will be discussed at a meeting, then County Counsel attendance is required. You must notify counsel of their requested attendance ahead of the meeting, confirm availability, and let them know the legal subject areas that will be discussed so they can prepare.

COSTS - Charges will be made in accordance with the fee ordinance. In general, for permit/entitlement applications with a deposit account, project level staff will charge the applicant's trust account but panel members and the secretaries will not. Project staff time charged will be minimized. Given that there must be an effort to resolve the issue with staff before raising the issue to the panel, staff should be familiar with the issues and charges should generally be limited to attendance at the conference. For permit/entitlement applications processed with a flat fee, no additional payment from the applicant is required.

RESOURCES

- ✓ **Accela User Guide for Planners** for guidance on how to use Accela.
- ✓ Online searchable version of the **CEQA Guidelines and Statute**.
- ✓ **Documentum Cheat Sheet** for applicable business rules.
- ✓ **Items listed in blue are Documentum templates.**

FORMS:

Project Issue Resolution Request Form – To request consideration and scheduling of a project for a PIR.

Project Issue Resolution Summary Sheet – Provides the background and summary of the project issues and serves as the agenda for the meeting.
Project Issue Resolution Conference Results – Lists the final determinations on the project issues listed in the Summary sheet.

PROCEDURES - These procedures are for guidance only and should not substitute for your common sense and professional judgment. For deviations or additions to these procedures, see your Planning Manager.

Note – Preparation for, attendance at the meeting and follow-up (minutes, correspondence) should be charged to the (111) PIR task.

I. PIR Requests and Preparation

- **If the Applicant Requests a PIR -** the Project Manager does the following:
  - ✓ Contact the applicant by phone to discuss the issue and verify that a PIR is appropriate. Verify that, with the exception of customer service complaints, the issues raised have been previously discussed with staff, the applicant has made a genuine effort to resolve the issue with staff, and the issues raised are appropriate for the Project Issue Resolution process.
  - ✓ If determined to proceed with PIR, explain the PIR procedure to the requestor (see info under **Call the Requestor to explain the Project Issue Resolution Procedure** below)
  - ✓ Email the **Project Issue Resolution Request Form** to be completed by the requestor. The applicant should fill out and return the Request Form directly to the PIR Secretary or to the Project Manager by email, fax or through the mail.
  - ✓ After the form is received, request a 111 - Prepare/Attend Project Issue Resolution task. Provide to the secretary if submitted directly to the project manager.

- **Staff Initiated PIR**
  - ✓ The issue should be first discussed with the Planning Manager to determine if a staff-initiated PIR is warranted. If a PIR is warranted, call the applicant, notify them of the current project status and explain they would like to schedule a Project Issue Resolution Conference to try to resolve project related issues. The PM should explain specific issues they plan to discuss and explain that the PIR Procedure (see below).
  - ✓ If the applicant declines the meeting, document in a **Memo** to the file and in the activities tab in Accela that the meeting was offered and declined.
  - ✓ Request a 111 - Prepare/Attend Project Issue Resolution task.

- **Call the Requestor to explain the Project Issue Resolution Procedure:**
  - ✓ The PIR process is intended keep the project moving forward by giving the applicant and staff the opportunity work directly with upper level management.
  - ✓ The **Project Issue Resolution Summary Sheet** serves as an agenda and only those items listed there will be discussed at the meeting.
  - ✓ Explain that the requestor will be provided the opportunity to comment on the “applicant’s request” portion of the form.
  - ✓ Explain that the applicant will be given the option to choose between presenting their case first, or presenting their case after the Staff presentation at the PIR.
  - ✓ Inform the applicant that following the PIR, they will be provided with a copy of the **Project Issue Resolution Conference Results**.
  - ✓ Give the applicant a tentative date for the PIR Conference (typically within 10 days), accommodating the requestor’s schedule.
  - ✓ Except in unusual cases, each PIR will be limited to no more than 30 minutes.

- ☐ **Complete the Project Issue Resolution Summary Sheet**. The PM should get necessary input from the project team including specialists as needed, to fill out the Summary Sheet. Every effort must be made to consider project issues within 10 calendar days of the receipt of the **Project Issue Resolution Request** form. Ensure the issues to be discussed are adequately detailed, and that a fact-based discussion of the issue is clearly and concisely presented on the form.

- ☐ **Send the requestor a draft version of the form via email.** Ask the applicant to clarify and edit the 'Applicant's Request' portion of the form. The Summary Sheet should not exceed two pages overall in length.

- ☐ Send the **Project Issue Resolution Summary Sheet** to your Planning Manager for review. If the Planning Manager feels it is appropriate, the Land Use Aid from the Supervisor's District in which the project is located may also be invited to the meeting.

- ☐ Send the final version of the **Project Issue Resolution Summary Sheet** to the PIR Secretary and indicate who should be in attendance. Send the PIR Summary Sheet as soon as possible, at the latest by COB on Monday for the following Thursday PIR meeting. *Note* - The Project Planning Secretary may not send out the Outlook Scheduler for the meeting until PIR Summary Sheet is received.

II. Conference Scheduling

- ☐ When the **Project Issue Resolution Summary Sheet** is complete, the PIR Secretary will add the item for the next regularly scheduled Project Issue Resolution Conference.

- ☐ After discussion with the Project Issue Resolution Panel, the Project Issue Resolution Secretary will finalize the date of the PIR no later than two days prior to the conference.

- ☐ The secretary will distribute the following to internal staff & PIR Panel members via email, with the PIR Outlook Scheduler with the meeting date and time:
  - ✓ **Project Issue Resolution Summary Sheet**
  - ✓ **Project Issue Resolution Request**

- ☐ The Project Manager must notify and confirm the date, time, location and attendance of the requestor at the PIR Conference.

- ☐ Project Managers should prepare for the meeting by referencing and following the Meeting Procedures.

III. Project Issue Resolution Conference

- ☐ Project manager must bring an updated copy of the plot plan, aerial photograph, and any other supporting information that would help the PIR panel.

- ☐ Prior to the conference, the PM shall brief the panel on the issues, point in process, and account status.

- ☐ At the conference, give the applicant the option to present their case first at the PIR.

- ☐ The Project Manager or their designee is responsible for recording the panel's determinations on the specific issues listed on the **Project Issue Resolution Summary Sheet**. These notes will be forwarded to the Project Issue Resolution Secretary by COB the day of the conference.

- The Panel may take several actions regarding the Project Issues raised in this process including but not limited to: 1) concurring with the applicant, 2) concurring with the staff position, 3) developing an alternative solution for the Project Issue, 4) requesting additional information or analysis from either staff or the applicant, 5) elevating the issue to the Director of the relevant department. Rationale for the determination will be given to both applicants and staff and included in the minutes for the conference.

- **PIR Conference Final Documentation -** The Project Manager is responsible for completing the **Project Issue Resolution Conference Results** form. Once completed, send the draft PIR Results form to your Supervisor for review. When final, forward this document to the Secretary by noon on the Friday following the conference
  - The Secretary will distribute the **Project Issue Resolution Conference Results form** to the Project Issue Resolution Panel for approval, the Friday following the conference. Once approved by the Panel, the Secretary will send the document to the project point of contact, as well as e-mail it to the conference attendees (including the applicable board aid), and place a copy in the comprehensive Project Issue Resolution file. The Project Manager must place the document in the project file(s), upload to Documentum, and ensure the requestor receives the final version.

- **If Revisions to a Letter are required:** If a follow up letter to the scoping or iteration letter is required as a result of the PIR meeting, make the necessary revisions considering the results/recommendations from the PIR meeting and send the final letter to everyone on the original cc: list. Email a signed pdf version of the final letter to the applicant.

- **Update Accela**
  - Make a note in Accela, Activities Tab about the project status and the results of the PIR meeting.
  - If needed, as a result of the meeting, modify the applicant due date by updating the due date on the workflow.
  - Update the active workflow task as needed and update related records.
  - Sign off the 111 task as complete